



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitchell C. Sanders
Application No.: 09/848,781 Group: 1645
Filed: May 3, 2001 Examiner: Khatol S. Shahnan Shah
Confirmation No.: 6639
For: A DEVICE FOR DETECTING BACTERIAL CONTAMINATION AND
METHOD OF USE

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

2-14-05 Dawn M Myers

Date Signature

Dawn M Myers
Typed or printed name of person signing certificate

PETITION TO REVIVE UNINTENTIONALLY ABANDONED

APPLICATION UNDER 37 C.F.R. §1.137(b)

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that the above-identified application be revived pursuant to 37 C.F.R. §1.137(b). A Notice of Abandonment was mailed from the United States Patent and Trademark Office on February 7, 2005 for the referenced application for failure to file a Brief on Appeal. In lieu of filing the required Brief on Appeal, Applicant filed a Continuation application

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on January 14, 2005, under Docket No. 3265.1001-007, Inventor: Mitchell C. Sanders and Express Mail Label No.: EV 214894750 US. Applicant failed to pay the extension fees in the referenced application when the continuation application was filed. Applicant's failure to pay the extension fees under 37 C.F.R. § 1.16 in the above-identified application was an inadvertent oversight and unintentional. Applicant wishes to maintain co-pendency between the Continuation application, which was filed on January 14, 2005, and the parent application identified above. A check in the amount of \$1,080.00 to cover the extension fees is filed herewith.

On June 8, 2004, Applicant's attorney filed an Amendment After Final for the referenced application. The transmittal that accompanied the Amendment contained a general authorization granted to the United States Patent and Trademark Office to charge any fees required to maintain pendency of this application under 37 C.F.R. § 1.16 and 37 C.F.R. § 1.17 to Deposit Account No. 08-0380. Thus, if this Petition to Revive Unintentionally Abandoned Application under 37 C.F.R. § 1.137(b) accompanied by this check is not necessary, then Applicant's attorney requests that the Deposit Account 08-0380 be credited appropriately.

A check for the Petition fee under §1.17(m) in the amount of \$750.00 is also enclosed. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Date: February 14, 2005